

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DOC #:
DATE FILED: 9/19/07

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JULIA MANCEBO & ANGELA HERRERA,

Plaintiff, JOINT ~~PROPOSED~~ SCHEDULING ORDER

-against-

07 CV 5602 (RJH)

THE CITY OF NEW YORK & POLICE OFFICER
AHMED,

Defendants.
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1. Description of the Case.

a. Attorneys of record for each party, including lead trial attorney:

For Plaintiffs: Michael Colihan, Esq., 44 Court Street, Room 911, Brooklyn,
New York 11201 (718) 488-7788.

For Defendants: ~~Basil C. Sitaras~~ **DAVID M. POLAK**, Assistant Corporation Counsel, New York City
Law Department, 100 Church Street, New York, New York
10007. (212) 788-~~0422~~ **1894**

b. Basis for federal jurisdiction:

This action is brought under 42 USC 1983 for the violation of the civil rights of the plaintiffs. Defendants deny any violation of plaintiffs' civil rights, but do not challenge the Court's jurisdiction over this matter.

c. Claims asserted in the complaint and any counterclaims:

Plaintiffs claim that they were falsely arrested on or about May 4, 2007. Defendants have asserted no counterclaims.

d. Major legal and factual issues in the case:

- Whether the stop and subsequent arrest of plaintiffs on May 4, 2007, were justified by reasonable suspicion and/or probable cause.
- Whether it was objectively reasonable for the defendant officer to believe that the detention of plaintiffs was justified by reasonable suspicion and/or probable cause.

- e. **Relief sought:** Plaintiff seeks compensatory and punitive damages as against the City of New York and the individual officer defendant, in addition to attorney's fees and costs and disbursements.

2. **Proposed Case Management Plan**

- a. **All pending motions:** None.
 - b. **Date for joinder of additional parties:** November 21, 2007
 - c. **Date for amendments to pleadings:** November 21, 2007
 - d. **Schedule for completion of discovery, including:**
 - i. **Date for Rule 26(a)(1) disclosures:** September 14, 2007
 - ii. **Date for fact discovery completion:** January 7, 2008
 - iii. **Date for Rule 26(a)(2) disclosures:** January 21, 2008
 - iv. **Date for expert discovery completion:** February 21, 2008
 - a. **Plaintiff's expert report due by:** January 21, 2008
 - b. **Defendants' expert report due by:** February 7, 2008
 - e. **Date for filing dispositive motions:** February 28, 2008
 - f. **Date for filing a final pretrial order:** March 30, 2008
 - g. **Proposed trial schedule, including:**
 - i. **Whether a jury trial is requested:** The parties request a jury trial.
 - ii. **The probable length of the trial:** Approximately 2-3 days.
 - iii. **When the case will be ready for trial:** March 30, 2008, or 45 days following the Court's ruling on any dispositive motions.
3. **Consent to Proceed Before a Magistrate Judge:** At this time the parties do not consent to proceed for all purposes before a Magistrate Judge.

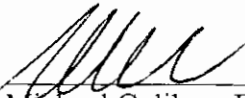
4. Status of Settlement Discussions:

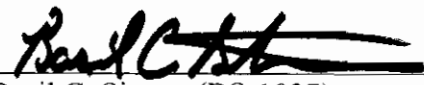
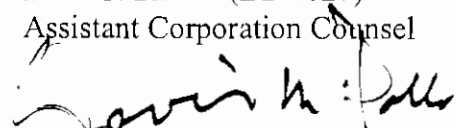
- a. Whether any settlement discussions have occurred: None to date.
- b. The status of any settlement discussions: None to date.
- c. Whether the parties request a settlement conference: Yes.

Dated: New York, New York
September 7, 2007

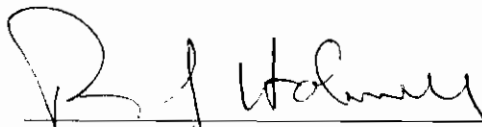
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Attorney for Defendant City
of New York
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New York, New York 10007
(212) 788-0422

By: 
Michael Colihan, Esq. (MC - 0826)

By: 
Basil C. Sitaras (BS-1027)
Assistant Corporation Counsel
 David H. Sitaras (DP3873)

SO ORDERED:


HON. RICHARD J. HOLWELL
UNITED STATES DISTRICT JUDGE

A status conference shall
be held on January 25, 2008
at 10:00 a.m.